



8 June 2020

Mr Mark Andrew Schapiro
Chargé d'Affaires a.i.
Embassy of the United States of America
Ta' Qali National Park, Attard ATD 4000, Malta

Excellency,

Re: United States v. Ali Sadr Hashemi Nejadin, 18 Cr. 224 (AJN)

As you are aware, Repubblika is a civil society organisation campaigning for the rule of law and freedom of expression.

We respectfully refer to the case in caption heard at the Southern District of New York and specifically to the filing of a Nolle Prosequi by the Co-Chiefs of the Terrorism and International Narcotics Unit of the United States Attorney's office. (Document 348-1 filed 06.05.2020).

As you no doubt are aware we have been following the case closely given Mr Sadr's connection to Malta. Ali Sadr owned and ran Pilatus Bank in Malta which, as the US Attorney put it, was funded from the proceeds of crimes Mr Sadr has been convicted for in the March 2020 verdict on the US government's case against him. Here in Malta his now shuttered bank served as a clearing house and laundry for embezzled funds and proceeds of crimes committed by people in power, particularly though not exclusively in Azerbaijan and Malta.

To cover up his crimes Ali Sadr intimidated the local press by using and abusing the United States justice system. He sued Daphne Caruana Galizia in a \$40 million lawsuit in Arizona and he threatened most Maltese media houses with similar action if they did not expunge from the record their reports into his conduct and the conduct of his bank. He was successful in this until the day the FBI put handcuffs on him in Virginia.

Although the US did not try Ali Sadr for crimes committed in Malta, we found the success of the United States in arresting, prosecuting and convicting Ali Sadr as typical of the shining example of justice and the rule of law we expect from the USA.

It is therefore with the greatest dismay that, so soon after a jury has found Ali Sadr guilty of 5 of 6 counts he was charged with and prior to his sentencing, the US Attorney has filed for a Nolle Prosequi for reasons that seem to us could have been matters to be reviewed and decided upon in a court of appeal.

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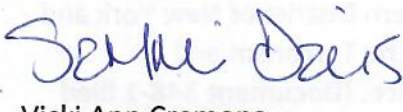
We write to express our disappointment in this decision by the US government in the hope that there may still be the possibility of its reversal and in the sincere wish that the US government might give reasons we may understand as to why this decision was taken.

We recall your embassy's statement on 16 October 2019, on the second anniversary of Daphne Caruana Galizia's assassination which also happens to be the second anniversary of the day Ali Sadr Hashemi Nejad withdrew the case he brought against her in Arizona:

"Accountability, strong judicial processes, transparency, and convictions are the best way to support freedom of expression and rule of law, and deter future would-be criminals."

We wholeheartedly support this notion and in the case of Ali Sadr Hashemi Nejad hope to see conviction followed by sentencing and the appropriate penalties required by United States law.

Respectfully,

p.p. 

Vicki Ann Cremona
President, Repubblika

Cc Geoffrey S. Berman,
United States Attorney, Southern District of New York, US Department of Justice
The Silvio J. Mollo Building, One Saint Andrew's Plaza, New York, New York 10007

The Honourable Alison J. Nathan
United States District Judge, Southern District of New York, 500 Pearl Street, New
York, New York 10007